

improves our Nation's energy efficiency and security and promotes the use of alternative renewable sources of energy.

I am a cosponsor of legislation to extend the wind energy tax credit and to provide a tax credit for the production of energy from poultry litter.

I have also cosponsored legislation with Senators COVERDELL, BREAUX, and DEWINE which would force Federal facilities to comply with the provisions of the Clean Water Act, something they are currently able to avoid by claiming sovereign immunity.

I will soon be joining Senators MURKOWSKI and HAGEL as an original cosponsor of the Energy and Climate Policy Act which, through tax credits and public-private partnerships, will promote research and development of technologies which reduce or sequester greenhouse gas emissions.

We have had tremendous accomplishments in Congress over the past 4 years, and I make this point not to illustrate a difference between Republican and Democratic Congresses, but to highlight our shared commitments to protecting the environment, improving our wildlife habitats, making our water supply safer, increasing visitor enjoyment in our Nation's parks, and also strengthening our dedication to leaving a proud legacy of natural resource protection for our children and grandchildren to enjoy.

Mr. President, I make these points because they are often not properly presented to the American public, because many proenvironmental initiatives are passed by unanimous consent or by voice vote. They often do not appear on our voting records. Instead, Americans are left with the five or six votes over an entire year that a special interest group portrays as the complete environmental record of Members of Congress.

Anyone who closely monitors Congress knows that these issues are not as simple as some make them out to be, and a Member's record is not accurately reflected by five or six selective votes, votes which are many times procedural votes and not votes on final passage. That is why I have long believed we can do a better job of promoting our shared commitment to both environmental protection and economic growth by highlighting our many common beliefs, rather than taking a microscope to those beliefs upon which differences arise.

Clearly, partisanship will always be present in congressional debates, but no American is well served when issues as important as environmental protection are dominated by the flagrant distortion of the truth.

Mr. President, I suggest that on this Earth Day, we pledge to come together to improve our environment and strengthen our natural resources. I suggest that we recognize both our fail-

ures and also our successes of the past. We must recognize that today compliance with regulations is the rule and that blatant attempts to pollute and circumvent regulations are the exception. With this in mind, I believe we must renew our Nation's commitment to pragmatism.

Government on all levels must do its part as watchdog while empowering those being regulated to develop unique and innovative means of compliance. At the same time, we must promote ideas that create public-private partnerships and encourage companies and individuals to take voluntary steps to protect our natural resources. Through education and awareness, we will be able to approach environmental issues in a way that fosters compromise and in a way that ensures public policy is pursued in the best interest of all.

It is time we commit ourselves to achieving real results through environmental initiatives. We must make sure that Superfund dollars go to clean up the Superfund sites, not go into the pockets of lawyers. We must base our decisions on clear science with stated goals and flexible solutions. We must give our job creators more flexibility in meeting national standards as a means of eliminating the pervasive "command and control" approach that has infected so many of our Federal programs.

And finally, the Federal Government needs to promote a better partnership between all levels of Government, with job providers, environmental interest groups, and with the taxpayers. Moving forward together in eliminating the inflammatory rhetoric which sometimes consumes the entire environmental debate will not be easy, but if we are going to work together to ensure the splendor of our natural resources far into the future, I believe it is a step that we are going to have to take.

Thank you very much, Mr. President.

THE 29TH ANNUAL EARTH DAY

Mr. LOTT. Mr. President, today marks the 29th annual Earth Day—a day to evaluate our environment—a day to celebrate. Along with all Americans, I too want to live in a clean environment, and like most Americans, I fully believe efforts are needed to "protect the environment." However, I question how "protecting the environment" is defined and bureaucratically implemented, especially when it begins to truly hurt Americans.

Mr. President, I hope my colleagues will look at each environmental policy—new and old—carefully, to make sure the benefits are both real and achievable. Congress should make sure the costs are tolerable and properly allocated, and Congress needs to ensure that the standards and time tables make sense. Most importantly, the

Congress needs to make sure that the science is legitimate.

There are some who advance an agenda under the guise of environmental concern. This is not only wrong, but harmful. There are some who do not provide accurate costs and who inflate benefits. This too is wrong. There are some who have no concern about those who will really be affected by the new policy. This is also very wrong—Congress should never lose sight of the constituents.

Mr. President, the Senate needs to continue to "protect the environment" while "protecting the people" who live in that environment. The Senate must examine the costs inflicted upon our society, as it relates to the environmental protection, to make sure it is acceptable.

This Earth Day anniversary is a good anniversary. There are many things of which to be proud, and many people and organizations which should be proud. Many can rightly take credit. Yes, the federal government stepped in. However, over the past three decades I've seen states and local governments also step up to the plate and act responsibly. After 30 years states should be given more responsibility, because of their effectiveness in environmental matters.

Mr. President, this Earth Day anniversary is a good anniversary, because the corporate world has invested billions and billions of dollars more than thirty years to clean the environment—the air, the soil, and the water. Everyone has benefited. The initial federal rules worked, but over the past 30 years industry has learned how to take environmental action in a more effective way. The federal government, not known for its efficiency, should do a better job of asking for these environmental solutions, because the same results at lower costs are good for America. Industry wants to be a partner in this effort.

Mr. President, today the new environmental enemy is urban sprawl. This is unfortunate because Congress does not need to find a new evil enemy to pursue to make environmental policy work. Suburbs, backyards, and shopping centers are not our enemy. Mr. President, the family living in the suburbs is not the enemy. I hope my colleagues will take a more balanced approach, and look for ways to legislate that avoid the adversarial approach. For thirty years industry was blamed for our environmental problems, now it's the family living in the suburbs. This is counter productive. This is a terribly destructive way to "protect the environment."

Mr. President, nearly 30 years of Earth Days has heightened everyone's awareness—yours and mine. I truly believe everyone is now a better steward of our planet. Lets unleash America's entrepreneurial spirit and search for

new approaches and new incentives to protect America's air, soil, and water. Happy Earth Day.

EXPRESSING THE GRATITUDE OF THE UNITED STATES SENATE FOR THE SERVICE OF THOMAS B. GRIFFITH

Mr. GRAMS. Mr. President, I ask unanimous consent that the Senate now proceed to the immediate consideration of S. Res. 82, submitted earlier today by Senator THURMOND.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A resolution (S. Res. 82) expressing the gratitude of the United States Senate for the service of Thomas B. Griffith, Legal Counsel for the United States Senate.

There being no objection, the Senate proceeded to consider the resolution.

Mr. THURMOND. Mr. President, I rise today to commend Mr. Thomas B. Griffith, who, on April 18, 1999, resigned from the position of Senate Legal Counsel to return to the private practice of law. Mr. Griffith served in that office for the past four years.

Mr. President, as President pro tempore of the Senate, it was my pleasure to oversee the work of the Office of Legal Counsel during Mr. Griffith's tenure. I appreciated the great dedication and professionalism he displayed in his capacity as Legal Counsel.

The Office of Senate Legal Counsel plays an important role for the United States Senate. It is responsible for providing legal defense to the Senate, its committees, Members, officers, and employees when authorized to do so. The Legal Counsel represents Senate committees in proceedings to obtain evidence for Senate investigations. As directed, it intervenes or appears as amicus curiae in the name of the Senate and Senate committees. It also represents the interests of the Senate as intervenor or amicus curiae in various other court cases. On an ongoing basis, the Senate Legal Counsel Office provides legal advice to Members, committees, and officers of the Senate.

Among the highlights of Mr. Griffith's career in the Senate would undoubtedly be the impeachment trial of the President of the United States. During those proceedings, Mr. Griffith provided the Senate with professional and nonpartisan advice on a range of issues related to the impeachment process.

Other significant actions in which Mr. Griffith participated or directed as Senate Legal Counsel include the consideration of the Louisiana Contested Election Petition by the Committee on Rules and Administration; the investigation of Campaign Finance Practices by the Senate Committee on Governmental Affairs; the Judiciary Committee's review of the White House use

of FBI files; and the work of the Special Committee To Investigate White-water Development Corporation.

In addition, Mr. Griffith represented the interest of the Senate, its Members, employees and Officers, in a number of cases filed in the courts. At the top of this list would be his work on the Line Item Veto cases.

In all of these activities, Mr. Griffith has seen to it that we are all served well by a professional, career, and non-partisan staff.

Mr. President, I am proud to sponsor this resolution and I am proud to have known and worked with Thomas Griffith. He has served his Nation well. I wish Thomas, his wife Susan, and their children the very best for the future.

Mr. DODD. Mr. President, as an original cosponsor of the resolution, I rise today to add my remarks in support of, and in gratitude to, our former Senate Legal Counsel, Mr. Tom Griffith.

It is always with mixed emotions that I speak on occasions such as this; while I am glad for Tom and wish him well in his return to private practice, I know that the Senate will miss the wise counsel and dedication he demonstrated during his nearly 4 years of service to this body.

The ancient Chinese had a curse in which they wished their victim a life "in interesting times". For better or for worse, Tom lived such a life as Senate Legal Counsel. From my place on the Rules Committee—first as a member and now as Ranking Member—I had a unique perspective on the Legal Counsel's efforts to deal with numerous "interesting" issues presenting novel, rare and in some cases historic issues, including implementation of the Congressional Accountability Act, resolution of the Louisiana election challenge, and, of course, the recent impeachment trial. Speaking for myself—and, I suspect, most of my colleagues—I must say that Tom handled those difficult responsibilities with great confidence and skill.

A more contemporary observer—and one of Connecticut's most famous residents—Mark Twain, once suggested: "Always do right—this will gratify some and astonish the rest." During his tenure as Legal Counsel, Tom exemplified this philosophy, impressing all who knew him with his knowledge of the law and never succumbing to the temptation to bend the law to partisan ends. All of us who serve here in the Senate know the importance of the rule of law; but let us never forget that it is individuals like Mr. Thomas Griffith whose calling it is to put that ideal into practice.

Once again, I wish to express my gratitude to Tom for his years of service, and I ask that my colleagues join me in supporting this resolution.

Mr. GRAMS. Mr. President, I ask unanimous consent that the resolution

be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 82) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 82

Whereas Thomas B. Griffith, the Legal Counsel of the United States Senate, became an employee of the Senate on March 18, 1995, and since that date has ably and faithfully upheld the high standards and traditions of the Office of Legal Counsel of the United States Senate;

Whereas Thomas B. Griffith, from October 24, 1995, to April 18, 1999, served as the Legal Counsel of the United States Senate and demonstrated great dedication, professionalism, and integrity in faithfully discharging the duties and responsibilities of his position, including providing legal defense of the Senate, its committees, Members, officers, and employees; representing committees in proceedings to obtain evidence for Senate investigations; representing the interests of the Senate as intervenor or amicus curiae in various court cases; and otherwise providing legal advice to Members, committees, and officers of the Senate;

Whereas Thomas B. Griffith, only the second person to hold the position of Senate Legal Counsel since it was created in 1979, has met the needs of the United States Senate for legal counsel with unfailing professionalism, skill, dedication, and good humor during his entire tenure; and

Whereas Thomas B. Griffith has tendered his resignation as Senate Legal Counsel, effective as of April 18, 1999, to return to the private practice of law; Now, therefore, be it

Resolved, That the United States Senate commends Thomas B. Griffith for his more than 4 years of faithful and exemplary service to the United States Senate and the Nation, including 3½ years as Senate Legal Counsel, and expresses its deep appreciation and gratitude for his faithful and outstanding service.

SEC. 2. The Secretary of the Senate shall transmit a copy of this resolution to Thomas B. Griffith.

**ADJOURNMENT UNTIL MONDAY,
APRIL 26, 1999, AT 1 P.M.**

Mr. GRAMS. Mr. President, I understand that there is no further business to come before the Senate, so I ask unanimous consent that the Senate now stand in adjournment under the previous order.

There being no objection, the Senate, at 3:12 p.m., adjourned until Monday, April 26, 1999, at 1 p.m.

NOMINATIONS

Executive nominations received by the Senate April 22, 1999:

THE JUDICIARY

H. ALSTON JOHNSON, III, OF LOUISIANA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FIFTH CIRCUIT, VICE JOHN M. DUHE, JR., RETIRED.

KERMIT BYE, OF NORTH DAKOTA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE EIGHTH CIRCUIT, VICE JOHN D. KELLY, DECEASED.

ANNA J. BROWN, OF OREGON, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF OREGON, VICE MALCOLM F. MARSH, RETIRED.